

3512/5

England, Laws & Statutes. -
Charles II.

Anno Regni
CAROLI II.
REGIS

Anglia, Scotia, Francia, & Hibernia,

DUODECIMO.

At the Parliament begun at *Westminster*, the Five and twentieth
day of *April* Anno Dom. 1660.

In the Twelfth year of the Reign of our most Gracious
Sovereign Lord **CHARLES**, By the Grace of God, of *England, Scot-*
land, France, & Ireland King, Defender of the Faith, &c,



LONDON,

Printed by *John Bill* and *Christopher Barker*, Printers to the KING'S
most Excellent Majesty, 1660.

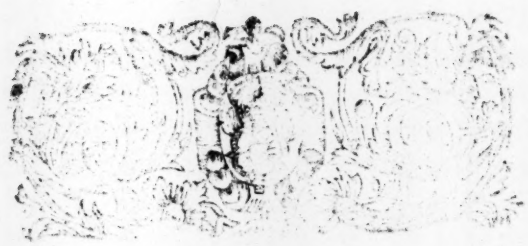
Cum Privilegio.

Ando R...

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Annō Regni
C A R O L I I I.

An ACT of Free and General Pardon, Indemnity,
and Oblivion.

THe Kings most Excellent Majesty taking into His Gracious and Serious consideration the long and great Troubles, Discords, and Wars, that have for many years past been in this Kingdome, And that divers of His Subjects are by occasion thereof, and otherwise, fallen into and be obnoxious to great pains and penalties: Out of a hearty and pious Desire to put an end to all Suits and Controversies, that by occasion of the late Distractions have arisen or may arise between all his Subjects, And to the intent that no Crime whatsoever committed against His Majesty or His Royal Father, shall hereafter rise in Judgement, or be brought in Question against any of them to the least endamagement of them, either in their Lives, Liberties, Estates, or to the prejudice of their Reputations, by any Reproach or Term of Distinction; And to bury all Seeds of future Discords and remembrance of the former, aswell in His own breast as in the breasts of His Subjects one towards another: And in performance of his Royal and Gracious Word, signified by his Letters to the severall Houses of Parliament now Assembled, and His Declarations in that behalf published, Is pleased that it may be Enacted, And be it Enacted by the Kings most Excellent Majesty, with the advice and consent of the Lords and Commons in this present Parliament assembled, First, That all and all manner of Treasons, Misprisions of Treason, Murthers, Felonies, Offences, Crimes, Contempts and Misdemeanors, Counsellled, Commanded, Acted or Done since the first day of *January*, in the year of our Lord, One thousand six hundred thirty seven, by any person or persons before the twenty fourth day of *June*, in the year of Our Lord, One thousand six hundred and sixty, other then the persons hereafter by name excepted, in such manner as they are hereafter excepted, by virtue or colour of any Command, Power, Authority, Commission, Warrant or Instructions from his late Majesty, King *Charles*, or his Majesty that now is, or from any other person or persons, deriving or pretending to derive Authority, mediately or immediately, from both or either of their Majesties, Or by vertue or colour of any Authority derived mediately or immediately of or from both Houses, or either House of Parliament, Or of or from any Convention or Assembly, called or reputed, or taking on them the Name of a Parliament, Or by, from, or under any Authority filed or known by the Name of the Keepers of the Liberty of *England*, by Authority of Parliament, Or by vertue or colour of any Writ, Commission, Letters Patents, Instruction or Instructions of or from any person or persons, titled, reputed, or taken to be Lord Protector of the Commonwealth of *England*, *Scotland*, and *Ireland*, and the Dominions thereunto belonging, or Lord Protector of the Commonwealth of *England*, *Scotland*, and *Ireland*, and the Dominions and Territories hereto belonging, or assuming the Authority or reputed to be chief Magistrate of the Commonwealth, or Commander in chief of the Forces or Armies of this Nation, by Sea or Land, or by any Pre- tence, Warrant, or Command whatsoever, from them or any of them, or their or either of their respective Councils or Council, or any Member of such Counsellor, Councils, or from any person or persons whatsoever, deriving or pretending to derive Authority from them, or any of them, be pardoned, released, indemnified, discharged, and put in utter Oblivion.

And that all and every the person and persons, acting, advising, assisting, abetting, and counselling the same, they, their Heirs, Executors, and Administrators, (except as before is excepted) be and are hereby pardoned, released, acquitted, indemnified, and discharged from the same: and of and from all pains of death, and other pains, Judgements, Indictments, Convictions, Attainders, Outlawries, Penalties, Escheats and Forfeitures therefore had or given, or that might accrew for the same. And that all such Judgements, Indictments, Convictions, Attainders, Outlawries, Penalties, Escheats and Forfeitures, and every of them, and all Grants the reason made and

and all Estates derived under the same, be and are hereby Declared and Enacted to be from henceforth Null and void. And that all mean profits not yet received by such Grantees, shall be and are hereby discharged: And that all and every person and persons, bodies Politick and Corporate, their and every of their Heirs, Executors, Administrators and Successors, shall be and are hereby restored to all and every their Lands, Tenements and Hereditaments, Goods, Chattels, and other things Forfeited, which to his Majesty do or shall appertain by reason of any offence herein before mentioned, and not hereafter in this present Act excepted and foreprized.

And be it further Enacted, That all Appeals, and all personal Actions, Suites, Molestations and Prosecutions whatsoever, for or by reason of any Act of Hostilitie, Treppasse, Assault, Imprisonment or breach of the Peace, advised, counselled, commanded, appointed, happened, acted or done by reason of the late troubles, or the late Wars in his Majesties Dominions, or relating thereto, and all Judgements and Executions thereupon had before the first day of May, in the year of our Lord, One thousand, six hundred fifty eight, stand and be from henceforth discharged: But not to restore to any person or persons any summes of money, mean profits or goods already received or taken upon the execution, or to give any accompt for the same.

And be it likewise enacted, That all appeals and all personal actions and causes of such Actions, suites, molestations and prosecutions whatsoever, for or by reason of any Act or thing advised, counselled, commanded, acted or done by virtue or colour of any authority or commission granted by his late Majesty, or his Majesty that now is, or by virtue or colour of any order or ordinance of one or both Houses of Parliament sitting at *Westminster*; or by any Act or Order made by any persons assuming the name of a Parliament, and sitting as a Parliament at *Westminster* after the death of the late King *Charles* the first; or by the authority of the said Keepers of the Liberties of *England*; or by any Ordinance by either of the late Protectors and Council; or by or upon any commission, writ, process, or warrant by them or any of them, or by authority derived from them, or any of them: and all demands of arrearages of Rents and mean profits of Lands, tenements, or hereditaments heretofore incurred or grown due, which have been paid, received or disposed by virtue or colour of any the authorities or pretended authorities aforesaid, other then such arrearages or mean profits as are or shall be otherwise disposed by any Act, or Acts of this present session of Parliament, be from henceforth discharged.

And it is further by the authority aforesaid enacted in the second place, that all and every the Subjects of these his Majesties Realms of *England* and *Ireland*, the Dominion of *Wales*, the Isles of *Jersey* and *Guernsey*, and the Town of *Berwick* upon *Tweed*, and other his Majesties dominions, the heirs, executors, and administrators of them and every of them, and all and singular Bodies in any manner of wife corporated, cities, burroughs, shires, ridings, hundreds, lathes, rapes, wapentakes, towns, villages, hamlets and tythings, and every of them, and the successor and successors of every of them, shall be and are by the authority of this present Parliament acquitted, pardoned, released, indemnified and discharged against the Kings Majesty his heirs and successors, and every of them, of and from all manner of treasons, misprisions of treason, felonies, offences, contempts, trespasses, entries, wrongs, deceits, misdemeanors, forfeitures, penalties, and summes of money, intrusions, mean profits, wardships, marriages, reliefs, liveries, cusser le mains, mean rates, respits of homage fines and seisinures for alienation without licence, arrearages of rents, (other then the arrearages of rents due from the late farmers, or pretended farmers of the Excise or customes respectively, and other then such arrearages of rents or mean profits, as are or shall be otherwise disposed by any Act or Acts of this present Parliament) and of and from all arrearages of Tenths and first fruits, fines, post-fines, issues and amerciements, and all recognizances, bonds, or other securities given for payment of them, or any of them, concealments of customes and excise, arrearages of purveyance, and of compositions for the same, and of and from all pains of death, pains corporal and pecuniary, and generally of and from all other things, causes, quarrels, suits, Judgements and executions, in this present Act hereafter not excepted nor fore-prized, which may be or can be by his Majesty in any wise, or by any means pardoned, before and unto the twenty fourth day of June, in the year of our Lord, one thousand six hundred and sixty, to every or any of his said subjects, bodies corporate, cities, burroughs, shires, ridings, hundreds, lathes, rapes, wapentakes towns, villages, and tythings, or any of them.

And

And be it further Enacted by the Authority aforesaid, That all Grants and Patents since the 25. of *March*, 1641. touching the Wardship and Custody of the Body and Lands, or touching the Marriage of any Heir within Age, and all Mean Profits yet unreceived, and demandable by reason thereof, shall be, and are hereby from henceforth discharged.

And also the Kings Majesty is contented, That it be further Enacted by Authority of this present Parliament, and be it Enacted by the Authority aforesaid, That this his said Free Pardon, Indemnity and Oblivion shall be as good and effectual in the Law to every of his said Subjects, Bodies Corporate, and others before rehearsed, in, for, and against all things which be not hereafter in this present Act excepted and foreprized, as the same Pardon, Indemnity and Oblivion should have been, if all Offences, Contempts, Forfeitures, Causes, Matters, Suits, Quarrels, Judgments, Executions, Penalties, and all other things, not hereafter in this present Act Excepted and Foreprized, had been particularly singularly, especially, and plainly named, rehearsed and specified, and also pardoned by proper and expresse words and names, in their kinds, natures and qualities, by words and terms thereunto requisite to have been put in, and expressed in this present Act of Free Pardon, Indemnity and Oblivion: And that his said Subjects nor any of them, nor the Heirs, Executors, or Administrators of any of them, nor the said Bodies corporate, and others before-named and rehearsed, nor any of them, be, nor shall be sued, vexed, or inquieted, by, or on the behalf of the Kings Majesty, his Heirs or Successors, in their bodies, Goods, Chattels, Lands or Tenements, for any manner of Matter, Cause, Contempt, Misdemeanor, Forfeiture, Trespass, Offence, or any other thing suffered, done, or committed before the said 24. day of *June* 1660. against His late Majesty King *Charles*, or His Majesty that now is, His Crown, Dignity, Prerogative, Laws or Statutes, but only for such Matters, Causes and Offences as be excepted and fore-prized by this present Act out of the same, any Statute or Statutes, Laws, Customs, or Usages heretofore had, made or used to the contrary in any wise notwithstanding: And that all and every the Kings said Subjects, and all and singular the Bodies Corporate, and others before rehearsed, may by him or themselves, or by his or their Deputy or Deputies, or by his or their Attorney or Attorneys, according to the Laws of this Realm, plead and minister this present Act of Free Pardon, for his or their Discharge, of or for any thing that is by vertue of this present Act, Pardoned, discharged, given or granted, without any Fee or other thing, paying to any person or persons for writing or entry of the Judgments or other Cause concerning such Plea, Writing, or Entry, but only sixteen pence to be paid to the Officer or Clerk that shall enter such Plea, Matter, or Judgment, for the parties Discharge in that behalf, any Law, Statute, Usage or Custom to the contrary notwithstanding.

And furthermore the Kings Majesty is contented and pleased, that it be Enacted, and be it Enacted by the Authority aforesaid, That this his said Free Pardon, Indemnity and Oblivion, by the general Words, Clauses and Sentences before rehearsed, shall be reputed, deemed, adjudged, expounded, allowed, and taken in all manner of Courts of His Highness and elsewhere most beneficial and available to all and singular the said Subjects, Bodies Corporate, and others before rehearsed, and to every of them in all things, not in this present Act excepted or foreprized, without any ambiguity, question, or other delay whatsoever it shall be, to be made, pleaded, objected or alleaded by the King our Sovereign Lord, His Heirs or Successors, or by his or their General Attorney or Attorneys, or by any person or persons for His Highness, or any of his Heirs or Successors.

And furthermore be it Enacted by the King our Sovereign Lord, and by the Authority aforesaid, That if any Officer or Clerk of any of His Highness Courts, commonly called the Chancery, Kings Bench, and Common-Pleas, or of his Exchequer, or any other Officer or Clerk of any other of His Highness Courts within this Realm, at any time after the passing of this present Act, make out, or write out any manner of Writs, Process, Summons, or other Precepts, whereby any of the said Subjects, or any of the said Bodies corporated; or others before rehearsed, or any of them shall be in any wise arrested, attached, distrained, summoned, or otherwise vexed, inquieted, or grieved in his or their Bodies, Lands, Tenements, Goods, or Chattels, or in any of them, for, or because of any manner of thing pardoned or discharged by vertue of this Act of Free Pardon; or if any Sheriff or Excheator, or any of their Deputy or Deputies, or any Bayliff or other Officer whatsoever, by colour of his or their Office, or otherwise, after the passing of this present Act, do levy, receive, take, or withhold of or from any Person or Persons, any thing pardoned or discharged by this Act; That then every such Person so offending and thereof

lawfully convicted or condemned by any sufficient testimony, witness, or prooffe, shall yield and pay for recompence thereof to the party so grieved or offended thereby, his or their treble damages, besides all costs of the Suit, and shall also forfeit and lose to the Kings Majesty for every such default Ten pounds: And neverthelesse all and singular such Writs, Proceffe and Precepts so to be made for, or upon any manner of thing pardoned or discharged by this present Act of Free Pardon, Indempnity and Oblivion, shall be utterly void and of none effect.

Except and always foreprized out of this Free and general Pardon, all Murders done or committed by any Person or Persons other then such which are Pardoned and discharged in the first Clause of Pardon above mentioned: And also excepted and alwayes foreprized out of this General and Free Pardon all and every offences of Piracy and Robbery done upon the Seas, not done in relation to the Differences and wars aforesaid, and every procuring or abetting of any such Offenders, and the comforting and receiving of them, or any of them, or any Goods taken by way of such Piracy or Robbery upon the Seas as aforesaid: And also excepted the detestable and abominable Vice of Buggery committed with Mankinde or Beast: And also excepted all Rapes and carnal Ravishments of Women: And also excepted all Ravishments, and wilfull taking away, or marrying of any Maid, Widow, or Damsel against her will, or without the assent or agreement of her Parents, or of such as then had her in Custody; and also all offences of aiding, comforting, procuring, or abetting of any such Ravishment, wilful taking, or Marrying, had, committed or done: And also excepted all offences made Felony by a certain Act made and ordained, Entituled, *An Act to restrain all Persons from Marriage untill their former Wives and former Husbands be dead*: And also excepted all offences of Invocations, Conjurations, Witchcrafts, Sorceries, Inchantments, and Charms; and all offences of procuring, abetting, or comforting of the same; and all persons now attainted or convicted of any the said excepted offences: And also excepted all and singular the Accompts of all and every person and persons appointed by any of the Authorities, or pretended Authorities aforesaid, to be Treasurer Receiver, Farmer or Collector, (other then the Sub-Collectors of the several Parishes, Towns and Hamlets respectively, for, and concerning their Receipts before the 24. day of June in the year of our Lord 1659) who have received or collected any Subsidy, Custome, Subsidy of Tonnage and Poundage, Prize-goods, Assessment, Sequestration, New Impost or Excise, or of any the Rents and Revenues of any Lands or Hereditaments, of or belonging unto the late King, Queen, or Prince, or King that now is, or belonging to the late Arch-Bishopricks, Bishopricks, Deans, or Deans and Chapters, Canons, Prebends, and other Officers belonging to any Cathedral or Collegiate Church, or Popish Recusants convict, or of Persons Sequestred for their Recusancy, or other sequestred Estates Received or Collected by, or paid unto them since the 30. of January, in the year of our Lord 1642; and of all Moneys and other Duties grown due or contracted upon the Sale or Disposition of them, or any of them.

Provided, that the Heirs, Executors, Administrators or Tertenants of the Lands of any Accomprant within this Exception now deceased, shall not be charged with, nor liable unto any Accompt for the matters in this Exception mentioned: Except for such Sum or Sums of Money as remain due upon any of their Accompts already stated and determined, and are not yet paid in, and that no Accomprant as aforesaid, now living, shall be liable to make accompt of any Sum or Sums of Money, paid or disbursed, or otherwise allowed, or discharged, by vertue or colour of any Order or Ordinances of both or either House or Houses of Parliament, or any Convention or Assembly called, or Reputed, or taking on them the name of a Parliament, or of *Oliver Cromwell*, Pretended Protector, or of *Richard* his Son, while he continued, or was stiled, or obeyed as Protector, or by any Persons acting as a Committee appointed by the said two Houses, or either of them, or by any such Convention, or Assembly, or any Order or Direction of such Committee or Committees, or any Person or Persons acting as a Publick Council, though having no legal Authority so to do, or by their, or any their Order or Orders, or Direction.

It being further declared and Enacted, and is Enacted by the Authority aforesaid, That no person or persons shall be charged for any Monyes by him received for the Fees, Salaries, and Wages then allowed, or for Moneys by him disbursed upon any publick use, or pretence, through the Direction, or Authority whereby the same Money was Issued, was not, or be not Legal and Warrantable in Law.

And

And be it further Provided, That no Military, or Commissioned Officer of the Armies, or Navies, or Souldier, or Marriner, who before the 25 of *March*, 1659, hath received any Moneys for his own pay, or the pay of other Souldiers, or for any other Contingencies of the Souldiers, or Garrisons under his Command, or by way of reward, shall be called to accompt therefore.

And that no person whatsoever shall be called to accompt for any the matters in this Exception mentioned, after the 24 of *June*. which shall be in the year of our Lord God, 1662 now next ensuing; And that in case any person who stands accomptable for any moneys received since the first of *January*, 1642, and before the 30 of *January*, 1648, have been robb'd, or plundered by Souldiers, or others, of the monies in their hands, or of any Notes, or Books of receipt, touching their payments or discharge, Then the oath or oaths of such party or parties of the same respectively, shall be a good discharge for so much of their accompt. And that the Oath of every Accomprant in or between the years, 1642, and 1648, of what they have paid to any publick use, by, or according to any publick or pretended Order or Authority whatsoever, shall be a good discharge, as to so much of the accompt of such person or persons. And except all First fruits and tenths in the hands of any Receiver not having disbursed, as in the last Exception is expressed.

Provided, That all and every Judgement of Discharge, or *quietus est*, had, or given at any time upon any accompt in the publick Exchequer, since the year 1648, be allowed, and shall not be avoided; except all accompts of the Revenues of Churches and Vicarages in *Wales*, and the Countie of *Monmouth*, and all Judgements of discharge, or *quietus* thereupon obtained, and also Excepted out of this Pardon all offences of Bribery, Perjuries and the Subornation of Perjury, or Witneses and Offences of Forging or Counterfeiting any Deeds, Debentures, Bills of Publick Faith, Escripts, Wills, or other Writings whatsoever, or of any Examinations or Testimonies of any Witnesse or Witneses, tending to bring any person or persons in danger of his Life, Liberty, or Estate, and the giving the same in evidence, and the compelling or procuring of any such counterfeiting or forging to be had or made.

And also excepted alloffences in detaining, imbezzling, or purloining any the Goods Money, Chattels or Jewels of the late King, Queen, or Prince, or any of the children of the late King and Queen, other then Shipping, Stores, and Ammunitions of War, and other then such Goods and Chattels as have been sold or disposed of to any of the Servants or Creditors of his late Majesty, in, or toward satisfaction of their debts or wages.

And also excepted out of this Pardon, all Issues, Fines, and Amercements, Rents, and other publick Dutys being Levied, Received or Collected by any Sheriff, under-Sheriff, Bayliff, Minister, or other Officer, to, or for the use of the late King, the Parliament, or the said Keepers of the Liberty of *England*, or any other person stiling himself Protector or for his Majesty that now is, and not accompted for, and discharged.

And also Excepted out of this Pardon, all and every offence and offences committed or done by any Jesuit, Seminary, or *Romish* Priest whatsoever, contrary to the Tenor or Effect of the Statute made in the 27 year of the Reign of the late Queen *Elizabeth*, Entitled, *An Act against Jesuits, Seminaries, Priests, and other disobedient Persons*, or of any part thereof, and all Out-lawries, Proceedings, Judgements, and Executions for the same offences, or any of them.

Provided always, and be it Enacted by the Authority aforesaid, that it shall and may be lawfull, to, and for all and every Clerk, and other officer of the Court at *Westminster*, to award and make Writs of *Capias Utlagatum*, at the suit of the Party Plaintiff, against such Persons Out-lawed, as be pardoned by this Act, to the intent to compell the Defendant, or Defendants to make answer, to the Plaintiff or Plaintiffs, at whose Suit, he or they were Out-lawed. And that every Person so Out-lawed shall sew a Writ of *Scire Frcins*, against the Party or Parties, at whose Suit he or they were so Out-lawed, before this Pardon in that behalf shall be allowed him or them so Out-lawed.

Provided and be it Enacted by the Authority aforesaid; That this Act of Generall Pardon, shall not in any wise extend to Pardon any Out-lawries upon any Writ of *Capias ad Satisfaciendum*, until such time as the Party so Out-lawed shall satisfie, or otherwise agree with the Party at whose Suit the same Person was so Out-lawed or Condemned.

And

And also excepted out of this Pardon all Informations and other Proceedings Depending, Concerning any Common High-ways or Bridges, and all Issues, returned upon any Proccesse, concerning the same, since the 30 day of *January*, 1648; Except also all Recognizances, Obligations and other Securities given, or Entred into, since the 25. of *March*, 1640, by any Receiver, Reeve, Baliff, Collector, or other Accountant in the Court of the Publick Exchequer, and their Sureties and their Accounts Respectively.

Provided always, and be it Enacted; That this Act, or any thing therein Contained, shall not extend, or be Construed to Pardon, or Discharge any Recognizance, Obligation or Bond which is not yet forfeited.

And be it further Enacted by the Authority aforesaid; That all Acts of Hostilitie and Injuries, whether between the late King, and the Lords and Commons then in Parliament assembled, or between any of the people of this Nation, which did arise upon any Action, Attempt Assistance, Council, or Advice, having Relation unto, or falling out by reason of the late Troubles, or in the late Wars, or publick differences between the late King and Parliament, or between his now Majesty, or any of his Subjects, and which are not in this Act excepted; that the same and whatsoever hath ensued thereupon, whether trenching upon the Laws and Liberties of this Nation, or upon the Honor of his Majesty, or upon the Honor of Authority of Parliament, or to the prejudice of any Particular or private person, shall in no time, from and after the 24. of *June*, in the year of our Lord 1660, be called in question, whatsoever be the quality of the Person, or of whatsoever kind or Degree, Civil or Criminal, the Injury is supposed to be; And that no mention be made thereof in time to come in judgement or judicall proceedings.

And to the intent and purpose that all names and terms of distinction may be likewise put into utter Oblivion, Be it further Enacted by the Authority aforesaid; That if any Person or Persons, within the space of three years next ensuing, shall presume maliciously to call or alledge of, or object against any other person or persons, any Name or Names or other words of Reproach, any way tending to revive the Memory of the late differences or the Occasions thereof; That then every such person, so as aforesaid Offending shall Forfeit and Pay, unto the Party grieved, in Case such Party offending shall be of the Degree of a Gentleman or above, ten Pounds; and if under that Degree, the Sum of forty Shillings, to be recovered by the Partie grieved, by Action of Debt to be therefore brought in any of his Majesties Courts of Record, wherein no Essoign, Protection, or Wager of Law shall be allowed, or any more than one Imparlance, so as the same Action be commenced or prosecuted within six Moneths next after the Offence Committed: And if the Jury sworn to try any Issue or Issues that shall be joined in such Action, shall find for the Plaintiff, they shall likewise give to every such Plaintiff forty Shillings Damages, over and above the Penalty aforesaid.

Provided, alwayes that this Act, or any thing therein contained shall not extend, or give any Benefit unto any Person or Persons, who have had any hand in the Plotting, Contriving, or designing the Great and Heinous Rebellion of *Ireland* mentioned in one Act passed in the Parliament begun at *Westminster* the 3 day of *Novem.* In the sixteenth year of King *Charles* Entituled, *An Act for the Speedy and Effectuall Reducing of the Rebels in his Kingdome of Ireland to their due obedience, to his Majesty and Crown of England*, Or in Aiding, Assisting or Abetting the same: (other than such as by another Act intended hereafter to be passed, shall be therein named, mentioned, or expressed to be pardoned,) Nor to enure to restore to any person or persons, Bodies Politick or Corporate, other than the Marquesse of *Ormond* Lord Steward of His Majesties Household, and other the Protestants of *Ireland*) and their Heirs, and such other person and persons as in, and by an Act intended hereafter to be passed, shall be therein named, mentioned, or expressed in that behalf, any Estate, Liberties, Franchises, or Hereditaments in *England* or *Ireland*, sold, or disposed of by both, or either Houses of Parliament, or any Convention assuming the stile or name of a Parliament, or any person or persons deriving Authority from them, or any of them, or which was approved or confirmed by them, or any of them; Nor to the Mean Profits, Rents, or contingencies of advantage of the same.

And it is further provided and Enacted, That every person or persons hereby pardoned, may plead the general issue, without special pleading of this pardon, and give this Act of Pardon in evidence for his discharge, and that the same shall be thereupon allowed, and the advantage thereof had as fully to all intents and purposes, as if the same had been fully and well pleaded; And in such manner as any Justice of the Peace, Constable, or other Officer, questioned for matters acted by them as Officers, or in execution of their Offices, may have advantage of the matter of their justification, upon the general Issue by them pleaded, by the Laws and Statutes of this Kingdom.

Pro-

Anno XII. CAROLI II. Regis.

Provided also, That this Act, nor any thing therein contained shall extend or be interpreted to extend to pardon any Person or Persons whatsoever, for any Theft or Stealing of any Goods, or other Felonies, since the Fourth day of *March*, in the year of our Lord, One thousand six hundred fifty and nine, any thing in this Act contained to the contrary thereof in any wise notwithstanding.

Provided also, That neither this Act nor any thing therein contained, shall extend to Acquit or Discharge any Person or Persons, from making restitution of all such Rents, Sums of Money, Horses, Cattel, or other Goods, which by a certain Act, or pretended Act lately made, Entituled, *An Act for Repeal of two Acts for Sequestration*, Are required to be restored to those from whom they were taken; Nor shall this present Act be construed to Disable, or Bar the respective Owners, or Proprietors, of, and from their several and respective Actions, or Suits at Law, or in Equity, for, or by reason of the said, or any other Rents, Moneys, Horses, Cattels or Goods, which since the Five and twentieth day of *July*, One thousand six hundred fifty and nine, have been by any Person or Persons wrongfully received, or taken away, and for which the said Wrong doers, are not in any wise Indemnified by the said or any other Act of Repeal.

And be it further Enacted by the Authority aforesaid, That no person or persons who by virtue of any Order or Warrant mediately or immediately derived from his late Majesty, or His Majesty that now is, or by virtue of any Act, Ordinance or Order of any or both Houses of Parliament, or any of the Authorities aforesaid, or any Committee or Committees acting under them, or any of them have Seized, Sequestred, Levyed, Advanced, or Paid to any Publique Use, or into any Publique Treasury within this Kingdom, any Goods, Chattels, Debts, Rents, Sum or Sums of Money belonging to any person or persons whatsoever, shall hereafter be sued, Molested or Drawn into Question for the same, but that they and every of them shall be Discharged against all persons for so much and no more of the said Goods, Chattels, Debts, Rents, Sum or Sums of Money, as their several and respective Orders of Discharge or Acquittances extend unto.

Provided also, That nothing herein contained shall extend to Discharge any person or persons who have been by private Order or Instructions employed and intrusted, or have undertaken the employment to Receive any Sum or Sums of Money for the Kings Majesties Service or Supply, since the year One thousand six hundred forty and eight, from making their Accounts for the same.

Provided also, That this Act shall not extend to Pardon or Discharge from Account to the Kings Majesty, any person or persons for any Sum or Sums of Money received for that illegal Tax of Decimation, or upon the Account of any Militia seized or acted in since One thousand six hundred forty and eight, and not accounted for, or paid over, or discharged to or by any that had Authority, or pretended Authority to discharge the respective Receivers of the same.

Provided also, That if any person or persons being his Majesties Mesnial Servant or Servants, or having or pretending to have received particular Instructions or Directions from His Majesty, have during the time of such his or their relation unto His Majesty, or whilst he or they were acting, or pretending to act for His Majesties interest, in pursuance of the said Instructions or Directions, wilfully, maliciously and trayterously held intelligence with any foreign Prince or Princes, State or States, or with any person or persons usurping Supreme Authority in this Kingdom, or other his Majesties Dominions, or with their or either of their Ministers or Agents, or without His Majesties License, and to the intent to betray his Majesties Person or Counsels, or have received any Sum or Sums of Money, or pension for such Treachery, That then such person and persons, as to the Offence in this Proviso mentioned, shall be and is hereby Excepted out of this Act, any thing herein contained to the contrary notwithstanding; so as such person or persons be Outlawed, or otherwise legally Convicted of such Offence or Offences within the space of Two years, from the Five and twentieth day of *April*, One thousand six hundred and sixtie.

Provided, that this Act of General pardon, or any thing therein contained, shall not extend to the pardoning or discharging of any Debts or Sums of Money due to or for the Excise of any Goods or Merchandise, whereof any Entries have been made in the Custom House, which have grown due since the Twenty fifth day of *March*, One thousand six hundred fifty and eight, or to the pardoning or discharging of any Debts or Sums of Money due to the Farmers, or pretended Farmers of Excise, since the Twenty fifth day of *March*, One thousand six hundred fifty and seven.

Provided also, That this Act, nor any thing therein contained, shall extend to pardon, discharge

charge, or give any other Benefit whatsoever unto John Lisle, William Say, Sir Hardress Waller, Valentine Watson, Thomas Harrison, Edward Whalley, William Heveningham, Isaac Penington, Henry Martin, John Burckhead, Gilbert Millington, Edmund Ludlow, Sir Michael Livesey, Robert Titchborn, Owen Row, Robert Lilburn, Adrian Scroop, John Okey, John Hewson, William Goff, Cornelius Holland, Thomas Challoner, John Carew, John Jones, Miles Corbet, Henry Smith, Gregory Clemens, Thomas Wogan, Edmund Harvey, Thomas Scot, William Cowley, John Down, Nicholas Love, Vincent Potter, Augustine Garland, John Dixwel, George Fleetwood, Simon Meyn, James Temple, Peter Temple, Daniel Elgrave, Thomas Wait, John Cook, Andrew Broughton, Edward Dendy, William Hewlet, Hugh Peters, Francis Hacker, Daniel Axtel, nor any of them, nor to those Two persons, or either of them, who being Disguised by Frocks and Vizors did appear upon the Scaffold erected before Whitehall upon the Thirtieth of January, One Thousand six hundred fortie and eight: All which persons for their Execrable Treasons in Sentencing to death, or Signing the Instruments for the Horrid Murther, or being instrumental in taking away the precious Life of Our late Sovereign Lord CHARLES the First of Glorious Memory, are left to be proceeded against as Traytors to His late Majestie, according to the Laws of England, and are out of this present Act wholly Excepted and Foreprized.

But in regard the said Owen Row, Augustine Garland, Edmund Harvey, Henry Smith, Henry Martin, Sir Hardress Waller, Robert Titchborn, George Fleetwood, James Temple, Thomas Wait, Simon Meyn, William Heveningham, Isaac Penington, Peter Temple, Robert Lilburn, Gilbert Millington, Vincent Potter, Thomas Wogan, and John Down, have personally appeared and rendered themselves (according to the Proclamation bearing Date the Sixth day of June, One thousand six hundred and sixty, to Summon the Persons therein named, who gave Judgement and Assisted in the said Horrid and Detestable Murther of our said late Sovereign, to appear and render themselves) and do pretend thereby to some favour, upon some conceived doubtfull Words in the said Proclamation.

Be it Enacted by this present Parliament, and the Authority of the same, (upon the humble desire of the Lords and Commons in Parliament assembled) That if the said Owen Row, Augustine Garland, Edmund Harvey, Henry Smith, Henry Martin, Sir Hardress Waller, Robert Titchborn, George Fleetwood, James Temple, Thomas Wait, Simon Meyn, William Heveningham, Isaac Penington, Peter Temple, Robert Lilburn, Gilbert Millington, Vincent Potter, Thomas Wogan, and John Down, or any of them, shall be legally Attained for the Horrid Treason and Murther aforesaid; that then, nevertheless, the Execution of the said Person and Persons so Attained shall be suspended, until His Majesty by the Advice and Assent of the Lords and Commons in Parliament, shall Order the Execution by Act of Parliament to be passed for that purpose.

Except also out of this present Act Oliver Cromwell deceased, Henry Ireton deceased, John Bradshaw deceased, and Thomas Pride deceased.

Provided that nothing in this Act contained shall extend to discharge the Lands, Tenements, Goods, Chattels, Rights, Trusts, and other the Hereditaments, late of the said Oliver Cromwell, Henry Ireton, John Bradshaw, and Thomas Pride; or of Isaac Ewer deceased, Sir John Danvers deceased, Sir Thomas Maltravers Baronet, deceased, William Pursey deceased, John Blakeston deceased, Sir William Constable Baronet, deceased, Richard Dean deceased, Francis Aley deceased, Peregrin Pelham deceased, John Moor deceased, John Aldred, alias Atured deceased, Humphrey Edwards deceased, Sir Gregory Norton Baronet, deceased, John Venn deceased, Thomas Andrews Alderman, deceased, Anthony Staphy deceased, Thomas Horton deceased, John Fry deceased, Thomas Hammond deceased, Sir John Bourcier deceased, of and from such Pains, Penalties and Forfeitures, as by one other Act of Parliament intended to be hereafter passed for that purpose, shall be Expressed and Declared.

And also except out of this present Act William Lord Mounson, James Challoner, Sir Henry Mildmay, Sir James Harrington, John Phelps, and Robert Wallop; All which Persons did Act and Sit in that Trayterous assembly, which in the month of January 1648. acted and proceeded against the life of our late Sovereign, King Charles the first of Blessed Memory, and are therefore referred to such Pains, Penalties and Forfeitures, not extending to Life, as by another Act intended to be passed for that purpose shall be Imposed on them.

And also except Sir Arbut Hestrigg, for and in respect only of such Pains, Penalties and Forfeitures, not extending to Life, as by one Act intended to be hereafter passed for that purpose shall be Inflicted and Imposed.

Provided alwaies, That John Hutchinson Esq; and Francis Lassells, shall be and are hereby made for ever incapable to Execute any Place or Office of Trust, Civil or Military, within this Kingdom; And that the said Francis Lassells shall pay unto our Sovereign Lord the King, One full years value of his Estate, any thing herein before contained to the contrary notwithstanding.

Provided

Provided alwaies, That this Act, or any thing therein contained, shall not extend to the Pardoning, or to give any other benefit whatsoever unto Sir Henry Vane, John Lambert, or either of them, but that they and either of them, are and shall be out of this present Act wholly Excepted and Foreprized.

Provided that if William Lenthall, William Burton, Oliver St. John, John Iretton Alderman, Col. William Sydenham, Col. John Darbrow, John Blackwell of Moreclack, Christopher Pack Alderman, Richard Keeble, Charles Fleetwood, John Pyne, Richard Dean, Major Richard Creed, Philip Nye Clerk, John Goodwin Clerk, Sir Gilbert Pickering, Col. Thomas Lister, and Col. Ralph Cobber, shall after the First day of September 1660. accept, or exercise any Office Ecclesiastical, Civil or Military; or any other publique Employment within this Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, that then such Person or Persons as do so accept or execute as aforesaid, shall to all intents and purposes in Law stand as if he or they had been totally excepted by name in this Act.

Provided likewise, That all those who since the Fifth of December, One thousand six hundred forty eight, did give Sentence of Death upon any Person or Persons, in any of the late Illegal and Tyrannical High Courts of Justice in England or Wales, or signed the Warrant for Execution of any Person there condemned (except Col. Richard Ingolby, and Col. Matthew Tomlinson) shall be and are hereby made incapable of bearing any Office, Ecclesiastical, Civil or Military within the Kingdom of England, or Dominion of Wales, or of serving as a Member in any Parliament after the First day of September, One thousand six hundred and sixty.

Provided also and it is Enacted, That all and every the Persons appointed Trustees in a late pretended Act or Ordinance made in the year of our Lord One thousand six hundred forty nine, for and concerning Tithes appropriate, Oblations, Obventions, Pensions, Portions of Tithes appropriate, Offerings, Fee-farm Rents, issuing out of the Tithes therein mentioned, First-fruits and other things, and Enacted or mentioned to be Enacted to be vested, settled, adjudged, or deemed to be in the actual Seisin or Possession of such Person and Persons in the said pretended Act or Ordinance mentioned, and their Heirs, shall account for and be responsible for all Rents and Profits of the Premises which came to their hands, and have not been by the said Trustees or their Order disbursed, disposed or employed, for the maintenance of Ministers or other uses, according to the said pretended Act or Ordinance, or some other Act, Order, or Ordinance made in the years of our Lord, 1650. 1654. and 1656. by any assembly called or reputed a Parliament, or assuming the power of Parliament, according to the intention of such Act, Acts, or Ordinances, and the Agents and Receivers under the Order of the said Trustees, and the Occupiers and Tenants of the premises, who have taken the premises or profits thereof into their hands, without agreement to pay Rent therefore, and have made no account, or satisfaction to the Trustees aforesaid, or to some other by their Order; and also the persons who have held the same, or taken the profits thereof under any agreement to pay Rent or Money for the same, and have not paid the same, shall respectively account, pay and make satisfaction for so much of the premises and profits of the premises, as are unsatisfied or unaccounted for as aforesaid, and pay such arranges of Rents or Money, as by such agreement remaineth unpaid by them: all which payments and accounts shall be made to such persons, and in such manner, as in Parliament shall be directed. Nevertheless it is not hereby intended, That any Minister, Schoolmaster, or other person, for whose benefit or maintenance the said pretended Acts or Ordinances were made, shall be accountable or lyable to make satisfaction for any profits, rents, or sums of Money paid to, or taken by them respectively, by virtue or colour of any Order or appointment of the said Trustees, or any of them, or otherwise.

Provided also, that this Act do not extend to Pardon any Bond taken in his late Majesties Name, before the Month of May One thousand six hundred forty two, for securing the proper debt of any Servant or Receiver of the Revenue of His said late Majesty, that hath not been paid to or by Order of some lawfull or pretended Authority; And whereas by an Order of the six and twenty day of May in the year One thousand six hundred forty one, the then House of Commons in Parliament did accept the sum of One hundred and fifty thousand pounds, as a composition from the Farmers of several Customes, Voted to be Illegally taken, and some of the said Farmers did procure and pay the said whole sum of One hundred and fifty thousand pounds at the desire of the said House of Commons, and upon their Declaration, that such of the said Farmers as did not pay their proportions, should not be Pardoned but proceeded against, and out of their Fines Satisfaction should be made to those who had paid the said One hundred and fifty thousand pounds, and in pursuance thereof did on the First of June then next following, Resolve that the Estates of such Persons living or dead

dead, as have by colour of any Patent received moneys from the Subject under pretence of such Customes; or have been under-sharers with the Patentees, ought to be made liable to Restitution; It is therefore Provided, That this Act shall not extend nor be construed to extend to Pardon or Indemnifie any Person or Persons, their Heirs, Executors, Administrators or Assignes, who have not paid their proportions of the said One hundred and fifty thousand pounds, or ought to have been contributory thereunto, from or against Misdemeanors or offences relating to the said Customs, or from payment of their Proportions: But that the Estates of the dead, as well as of the living, of such who ought to have been Contributory, in whose possession soever (Purchasers *Bona fide*, and upon valuable considerations only excepted) shall continue, and be charged and chargeable with the payment of their Proportions, to all intents and purposes as if this Act had not been made, any thing herein contained to the contrary notwithstanding.

Provided also, That this Act, or any thing therein contained, shall not extend or be construed to Pardon or Discharge any Sum or Sums of money due and Arrear for Excise of Beer, Ale, or other Native or Inland Commodity, since the twenty fourth day of *June*, One thousand six hundred fifty and nine.

Provided also, That nothing in this Act contained shall Extend to the Pardoning or Discharging of any sum or sums of money, due from any Officers or Soldiers to any of the Subjects of this Kingdom for Free quarter, since the Second day of *July*, One thousand six hundred fifty and nine, or to Discharge any moneys borrowed by any Officers for preventing of Free quarter.

Provided alwayes and be it Enacted by the Authority aforesaid, That no Conveyance, Assurance, Grant, Bargain, Sale, Charge, Lease, Assignment of Lease, Grants, and Surrenders by Coppy of Court-roll, Estate, Interest, Trust, or Limitation of any use or uses, of any Mannors, Lands, Tenements, or Hereditaments, not being the Lands, nor Hereditaments of the late King, Queen, Prince, or any Arch-bishops, Bishops, Deans, Deans or Chapters, nor being Lands, or Hereditaments, sold or given or appointed to be sold or given for the Delinquency, or pretended Delinquency of any Person or Persons whatsoever; by virtue or pretext of any Act, Order or Ordinance, or reputed Act, Order or Ordinance since the First day of *January*, One thousand six hundred forty and one; nor any Statute, Judgement, or Recognizance had, made, acknowledged or suffered, to any Person or Persons, Bodies Politique or Corporate, before the nine and twentieth day of *September*, One thousand six hundred fifty and nine, by any of the Persons before in this Act by name excepted, or their Heirs, or by any other Person or Persons claiming by, from, or under them, or any of them, other then the Wife or Wives, Childe, Children, Heir, and Heirs of such Person and Persons or any of them, for money *Bona fide* to them or any of them paid or lent; nor any Conveyance, Assurance, Grant, or Estate made before the Five and twentieth day of *April*, One thousand six hundred and sixty, by any Person or Persons to any such Person or Persons excepted by name as aforesaid, in Trust and for the Benefit of any other Person or Persons, Bodies Politique or Corporate not excepted by name as aforesaid, shall be impeached, Deceased, made void, or frustrated hereby, or by the attainder or conviction of any such excepted Person or Persons; but that the same shall be held and enjoyed by the Purchasers, Grantees, Lessees, Assignees, *Cestuy que use*, *Cestuy que trust*, and every of them, their Heirs, Executors, Administrators, and Assignes respectively, as if this Act had not been made, and as if the said Person or Persons had not been excepted, attainted or Convicted, any Law, Statute, Usage, or Custom to the contrary thereof in any wise notwithstanding.

Provided alwayes, That this Act, nor any thing therein contained shall not extend to Indemnifie any Person or Persons whatsoever, who have entred into any Messuages, Lands, Tenements, and Hereditaments called Fabrick Lands, or possess themselves of any Rent or Revenues given for the repair of any Cathedral or other Church, or who have Sacrilegiously enriched themselves by converting the Plate, or Utensils and Materials of or belonging to such Churches to their own private use and advantage, for or in respect of the said Crimes only.

